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American Samoa

Working paper prepared by the Secretariat*

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I. Background information

1. American Samoa,[1] is located in the South Pacific approximately 3,700 kilometres south-west of Hawaii and 4,350 kilometres north-east of Australia. It consists of seven islands (Tutuila, Aunuu, Ofu, Olosega, Tau, Swains and Rose) and several lesser islands belonging to the Samoan group. The total land area is 197 square kilometres, about 70 per cent of which is covered by dense forest. Tutuila, where the capital Pago Pago is located, is the largest island, constitutes 70 per cent of the total land area and is home to 90 per cent of the population.

2. It is generally believed that the Samoan archipelago was settled some 3,000 years ago by people migrating into the Pacific from South-East Asia. The Dutch were the first Europeans to find these islands, in 1722. Some settlers came to the islands in the early 1800s, followed by missionaries in 1830. By the late 1800s, internal strife among the chiefs and struggles among the colonial Powers of Germany, Great Britain and the United States led to a period of instability. Deeds of cession of these islands to the United States were formally accepted by means of an Act of Congress on 20 February 1929. Pursuant to this Act, the native inhabitants were given the status of American nationals. The Act provided for an American Samoan Government with all civil, judicial and military powers to be vested in a designee of the President of the United States. As the American interest in the area had been mainly military, the Territory was placed under the jurisdiction of the United States Navy. In 1951, an executive order transferred authority over the Territory to the Department of the Interior.

3. According to the releases of the census conducted in 2000 and published in February 2002, provided by the administering Power, the population of American Samoa is 57,291, of which 51.1 per cent is male and 48.9 per cent is female. The annual population growth rate is 2.64 per cent. Since 1990, the population has increased by 22.5 per cent. Ethnically, the population breaks down into 91.6 per cent native Hawaiian and other Pacific Islanders (including 88.2 per cent Samoan and 2.8 per cent Tongan), 2.8 per cent Asian and 1.1 per cent Caucasian. Of the native population, 56.7 per cent were born in American Samoa, 6.3 per cent in the United States, and 36.1 per cent were foreign born. The population (90.6 per cent 5 years and older) speaks Samoan, which is closely related to Hawaiian and other Polynesian languages, and English; 2.9 per cent of the population speaks English only. The literacy rate is 97 per cent. The median age is 21.3 years. Life expectancy is 75.32 years, with male life expectancy at 70.89 years and female life expectancy at 80.02 years. The annual birth rate is 24.88 births per 1,000 population and the annual death rate 4.31 deaths per 1,000 population. The annual net migration rate is 3.58 migrants per 1,000 population.

II. Constitutional, legal and political issues

4. American Samoa is a Non-Self-Governing Territory under the administration of the United States of America. The Constitution adopted in 1960 was revised in 1967 and was subsequently amended in 1970 and 1977. Any amendments or modifications to the Constitution of American Samoa (as approved by the Secretary of the Interior) may be made only by an Act of the United States Congress. In 1978, the people of American Samoa for the first time elected their own Governor. Since 1981, American Samoa has also elected, by direct vote, a non-voting delegate to the United States House of Representatives, who can, however, vote in committees. The most recent election was held in November 2000.

5. As American Samoa is an unincorporated and unorganized Territory of the United States, not all provisions of the United States Constitution apply. Residents of American Samoa are not United States citizens. They cannot vote in the United States general election but are permitted to participate in presidential primaries and caucuses. They are United States nationals who can freely enter the United States and work or reside anywhere they choose. American Samoa has its own immigration laws, and entry into American Samoa by foreigners is not the same as entry into the United States (in contrast with Guam, where United States immigration laws apply).[2]

6. The Constitution provides for separate executive and legislative branches and an independent judiciary. All American Samoans over 18 years of age are eligible to vote. The executive branch comprises a Governor and a Lieutenant-Governor elected for four years by universal adult suffrage. The Governor is responsible for executing both American Samoan and

United States laws and has veto power with respect to legislation passed by the Fono. The Fono is a bicameral legislature, which comprises an 18-member Senate whose members are chosen by 14 traditional tribal councils, and a 20-member House of Representatives, with the members elected by popular vote. Only *matais* (or chiefs) can become senators. Senators hold office for a four-year term, and representatives for a two-year term. The Fono may pass laws with respect to all local affairs, provided its laws are not inconsistent with United States laws in force in the Territory or with United States treaties or international agreements.

7. The main business of the Government is the management and distribution of federal income and capital subsidies. The traditional communal system provides the basis for a strong Government whereby leaders are responsible not only for preserving the social order but also for the economic welfare of the extended family. The federal Government underwrites most of the cost of preserving this system. This affiliation allows the United States to have access to and use of the Territory for defence and other purposes. In 2000, the number of employees in the Government reached 5,002, or 29.9 per cent of the entire employed civilian population 18 years and older.[3] The Government also manages power, water and sewer systems through the American Samoa Power Authority.

8. The judiciary system consists of the High Court, with the Chief Justice and the Associate Justices appointed by the Secretary of the Interior, and the local District and Village Courts, with the judges appointed by the Governor. The current Chief Justice is the first native Samoan to be appointed to the position. The High Court is divided into Appellate, Trial and Land and Titles. Since American Samoa is not part of a United States federal judicial district or circuit, there are no statutory provisions for appealing decisions of the High Court. American Samoa laws are textually identical to United States laws ("mirror laws"), where all references to the United States are substituted by references to American Samoa.

9. During the period under review, the question of applicability of the United States Federal jurisdiction in the Territory was widely discussed at the local and federal levels. The issue was brought to light in connection with the investigation of the Daewoosa Samoa garment factory and the medical insurance fraud cases. Federal officials asserted that the District Court of Hawaii had jurisdiction "to decide cases involving violations of federal criminal law that occur in American Samoa". However, the legal basis for such a position was questioned by the defendants as well as territorial authorities (see also para. 30 below). United States Federal authorities released a 30-page legal brief containing arguments supporting their position. In January 2002, the Governor of the Territory expressed the concern of local leaders that plans to extend the jurisdiction of the United States Federal Court to American Samoa would "begin to erode traditional chiefly influence" and "would result in weakening of the chiefs' traditional powers". At the same time, the Governor stated that public opinion should be taken into account before initiating any changes. In addition to the FBI investigators, since the end of 2001, more than 20 off-island auditors have been conducting audits for the Government and a number of its agencies, and preparing financial statements outstanding since 1998, as part of ongoing fiscal reform.[4]

10. During the period under review, the applicability of federal laws in the Territory was an underlying issue of the tax-related bill passed in the Territory in August 2001. The bill would automatically block any new and future federal tax codes that "would financially hurt the American Samoa Government". The bill is not retroactive. It states that "the tax laws in American Samoa will be the U.S. Internal Revenue Code that exists as of December 31, 2000". This measure was introduced to curb the effects of the new federal tax cuts on the local tax return claims. In particular, the Child Tax Credit federal law became a subject of discussion in the Territory by the administration and the population. According to the 2000 changes in the Child Tax Credit law, the tax return claims for dependent children had to be partially paid from the local government's coffers. The territorial Government argued that its obligations to pay such claims could surpass the taxes it collected. According to the Governor, any new federal tax reform should be critically analysed and adopted by the Territory on a provision-by-provision basis.[5]

III. Budget

11. The territorial budget consists mainly of the federal grants-in-aid, the annual federal allocations through the Department of the Interior and from the locally generated revenue. As reported in the previous working paper (see A/AC.109/2001/17, paras. 24-31),

American Samoa's Government had experienced revolving financial problems caused by the limited economic and tax base versus the growing costs of providing government services. Attempts to reduce the persistent budget deficit had envisaged such measures as reduction in the number of public sector employees, increased fees for government services, and plans to diversify the economy.

12. The American Samoa Economic Advisory Commission, established in 1998 and vested with the responsibility of advising the President of the United States through the Secretary of the Department of the Interior regarding the economic future of American Samoa, produced a report in January 2002. It recommended the reduction of the government sector and the development of a private sector as the main driving force of a self-sustaining market economy. At the beginning of 2002, Congress allocated $4.3 million for the territorial fiscal and managerial reform programme.[6]

13. According to the 2002 State of the Territory address, for the first time in 20 years, the Government finished the 2001 financial year in the black. The Governor reported that while the projected budget for the government operation for 2001 totalled $73.0 million, the actual revenues were $77.2 million with $4.2 surplus. The surplus was used to pay off the claims for the additional child tax credit. Furthermore, the Government was able to pay off all its major debts, including the amount of $12 million it owed to the federal Government under the Federal Insurance Contributions Act (Social Security). According to the Governor, the debt was paid by the proceeds from the Government's Tobacco Settlement Loan and Insurance Settlement from the case against Affiliated Insurance for damages from Hurricane Val (1991). At the same time, the efforts to hold down the Government's expenses are likely to continue. In his State of the Territory address, the Governor pointed out that in 2001, the Fono alone overspent its budget by $815.9 million and the rest of the Government overspent the budget by slightly over a million.[7]

14. In the course of the preparation of the 2002 budget, the Governor informed the legislature that the 2002 budget proposal would "no longer include projected revenues" but will show the proposed amount, the "actual revenue" from the past year and the difference between the two. In September 2001, the 2002 budget was approved at $212.9 million, compared with $198.8 million for the previous year. The budget period has been extended from 10 to 12 months and reflected an increase of 7 per cent. The major funds that constitute the budget were $60.6 million from federal grants, $64.3 million from enterprise funds, $23.1 million from grants-in-aid and $10.1 million from capital improvement funds. The total local revenue is projected at $54.78 million. In March 2002, the Senate approved $980,000 supplementary budget, mostly to fund government operations and tax refunds.

15. As one of the measures to compensate for the $8 million budget shortfall for the fiscal year 2002, the Fono passed, in September 2001, a bill that cancelled the American Samoa Government exemption from paying excise taxes on goods imported for use on government projects. The move is expected to raise about $1 million. Other measures include an increase of the minimum tax on low incomes from 2 to 4 per cent, which will raise an estimated $3 million, a 10 per cent tax on the gross revenues of the communications industry, which will help to collect $1.5 million, an increase of 10 cents per gallon on gasoline, which will raise $600,000, and creation of the Bureau of Revenue, incorporating the Tax Office, Custom and Accounts Receivable will raise from $400,000 to $500,000.[8]

16. Along with the introduction of new taxes and improvement in tax collection, the Government uses tax exemption as a means to support local industry. The Governor is allowed to grant partial or full tax exemptions to local companies if at least 75 per cent of the employees of the business are residents of American Samoa. The main canneries in the Territory, StarKist and Samoa Packing, have had tax exemptions since they first started operation 40 years ago. StarKist received a new 10-year tax exemption from the Governor in 2000. Samoa Packing, which employs about 2,400 workers, has also applied for a new exemption.[9]

IV. Economy

A. General

17. Economic activity in general is strongly linked to the United States. About 93 per cent of American Samoa's economy is based on United States federal expenditures and the canning industry, while the remaining 7 per cent stems from a small tourism

industry and a few businesses which sell exclusively to the local market. Prospects for agricultural development are limited owing to the small amount of land suitable for cultivation. The largest trading partner of American Samoa is the United States, followed by New Zealand, Australia and Fiji. Imports are mainly food (22 per cent) and petroleum products (17 per cent), machine parts, building materials, textiles and clothing; canned tuna accounts for 97 per cent of exports.[10] In 2002, imports increased by 125 per cent from levels of the previous year in the major categories of merchandise and particularly in the subcategories of automobiles and heavy equipment.[11]

18. Tuna fishing and tuna processing plants are the backbone of the private sector, with canned tuna as the primary export, meeting 20 per cent of the United States market. This sector employs a third of the people. The Government employs another third. Attempts by the Government to develop a larger and broader economy are constrained by American Samoa's remote location, limited transportation and devastating hurricanes, as well as competition from neighbouring islands with lower wage levels and from larger, more efficient businesses in the United States.

B. Agriculture and fisheries

19. Agriculture, hunting, forestry and fishing employ less than 3 per cent of the population and provides little surplus for export. The most important crops include taro, coconuts, bananas, oranges, papayas, breadfruit and yams.

20. As was reported in the previous working paper (A/AC.109/2001/17, paras. 37-40), 90 per cent of the Territory's economy and one third of its workforce was dependent on the fishing industry. American Samoa's tuna processing industry is the fourth largest in the world. During the period under review, the attention of the Government and the business community concentrated around the Andean Trade Preference Expansion Act (ATPEA), which could have a strong negative effect on the tuna industry of American Samoa. Under the ATPEA, the United States, in its effort to combat drug production and trafficking, would grant the Andean States special trade conditions, in particular duty-free import of canned tuna. The capacity of Andean countries to supply the entire United States market was seen as a threat to the local fishing industry, which could lose a crucial number of jobs, $18 million in processing revenue, $5 million in utilities, $1.5 million in wages, and thousands of dollars in tax revenue. The American Samoa delegate to the House of Representatives lobbied an amendment to the ATPEA that would limit the import of duty-free canned tuna to the United States.[12]

C. Tourism

21. Despite the Government's efforts to encourage tourism, the industry remains small. American Samoa has little tourist infrastructure, with only one hotel (80 per cent government-owned) and a total of 260 hotel/motel rooms in Tutuila and Mau'a. According to the Department of the Interior, in addition to its need for upgraded tourist facilities, the tourism industry needs increased promotion, improved skills training and increased international air travel services. According to the report of the Economic Advisory Commission, tourist arrivals totalled 4,514 in 1997, a further decline from 5,800 in 1995. The report noted that the Territory lacked the infrastructure needed to support the demands of a viable, large-scale industry.

D. Transport and communications

22. There are approximately 150 kilometres of paved roads and 200 kilometres of secondary roads in American Samoa. The highway system is generally in poor shape owing to the effect of hurricanes, the age of the roads, and inadequate maintenance. The Federal Highways Administration provides funding for road rehabilitation and construction projects. In July 2001, the Governor reported that a $6.8 million grant from the United States rural development source had enabled the Government to build concrete roads throughout many villages in the Territory during the last three years. In September 2001, the Government requested the Federal Highways Administration to consolidate a lump-sum of federal funding ($40 million for corridor rehabilitation and $15 million in shore protection funds) to continue the rehabilitation of the Territory's roads.[13]

23. Pago Pago harbour is an all-weather deep-draught harbour. The main dock is 1,000 feet long, handling ships of up to a 32-foot draught. Pago Pago harbour provides the full complement of equipment and facilities and has a ship repair facility with a 3,000-ton marine railway. However, the general condition of the

port continues to deteriorate as a result of inadequate maintenance.

24. There are four airports on Tutuila, Ofu, Olosega, and Ta'u. Pago Pago International Airport is owned and operated by the territorial Government. It is regularly served by a number of airlines that link American Samoa with Hawaii and the United States mainland and other countries in the South Pacific. Hawaiian Air provides direct air service from Pago Pago to Honolulu. Polynesian Airlines, Air New Zealand and Air Pacific provide regional air service to New Zealand, Australia, Fiji, Vanuatu, Tonga, New Caledonia, Tahiti and the Cook Islands. The national airline, Samoa Air, flies to Tonga, and other destinations and is available for charter. Domestically, Samoa Air flies regularly to Ofu, Olosega, and Ta'u Islands, and makes several flights a day to Samoa. American Samoa continues to experience extremely heavy air travel. Samoa alone recorded 23,000 visitors from American Samoa in the first nine months of 2001. Airport expansion programmes for Tutuila and Manu'a, which is expected to provide a boost to the local economy, are well under way. In August 2001, the United States Congress approved $5.9 million for runway extension projects. The Pago Pago International airport in Tafuna will get $4 million and the Fitiuta airport will get $1.9 million. Following the terrorist attacks on 11 September, Samoa Air has been awarded more than $16,000 under the federal Air Transportation Safety and System Stabilization Act.[14]

25. American Samoa, through the overseas communications satellite corporate link, has direct telephone dialling to most countries. There is a choice of mobile telephone service providers. Internet service to the World Wide Web is provided by the Office of Communications, American Samoa Government. According to the American Samoa TeleCommunications Authority, American Samoa may become part of the United States domestic calling zone, and calls from the Territory to North America will be considered domestic and not international calls. Some resistance to the application of the TeleCommunications Authority for domestic codes has come from United States long-distance carriers. A decision is expected by the summer of 2002.[15]

E. Water, sanitation system and utilities

26. The American Samoa Power Authority (ASPA), which is government-owned, provides water, waste-water, solid waste and electric services to customers on five of the seven islands. The ASPA provides safe drinking water to 90 per cent of the Territory, with the remaining part being serviced by outer-village systems. It is responsible for restoring, maintaining and protecting the water supply during natural and man-made breakdowns. The daily capacity of the water system is 8.0 million gallons per day from high-quality groundwater and surface sources. Water rates are $1.25 per 1,000 gallons. According to the 2000 census, 72.3 per cent of the 10,052 housing units used the public water system and 19.6 per cent used the village water system as the source of water. In July 2001, the ASPA received a $2.2 million grant/loan from the Department of Agriculture Rural Utility Service to establish the water purification facilities at Fagatogo and Pago Pago, which would provide 1 million additional gallons of water daily.[16]

V. Social conditions

A. Labour

27. The Territory is characterized by low per capita income and a significant unemployment rate. The total labour force of American Samoa consists of 17,664 workers. About one third of the labour force consists of aliens, mostly from Samoa. The largest employer, with approximately 4,282 employees, is the American Samoa Government. The Territory's per capita income is $4,357 and the unemployment rate is 12 per cent. According to the 2000 census, the income per household was as follows: 22.2 per cent of the households earned $15,000 to $24,999; 17 per cent earned $5,000 to $9,999; and 16.4 per cent earned $10,000 to $14,999. As of 1999, there were 34,745 individuals below the poverty level, including 5,072 families with children under 18 years of age, and 865 families with female householders.[17]

28. American Samoa is one of the two United States Territories in which employers are allowed to pay workers less than the mainland minimum wage to ensure compatibility with the prevailing cost of living. Wages in the Territory are set not by federal law but by recommendation of a special United States Department

of Labor committee that reviews economic conditions every two years and establishes minimum wages by industry under the fair Labor Standards Act.

29. In June 2001, a Special Industry Committee reviewed the wages in the Territory and required the canneries to bring the minimum wages to the mainland level, unless evidence is presented that convinces the Committee that such an action would significantly curtail employment. The main cannery companies, StarKist Samoa and COS Samoa Packing, opposed any increase of the wages. The decision was taken to increase the minimum wages on average by 2 per cent as follows: by October 2001, government employees to $2.73; fish canning to $3.26; shipping and transportation to $4.03. In October 2002, the wages will be set as follows: government employees at $2.77; fishery at $3.26; shipping and transportation at $4.09.[18]

30. As was reported in the previous working paper (A/AC.109/2001/17, para. 73), a government-sponsored attempt to launch a garment manufacturing sector involving foreign workers ended with the class-action suit and the case against the Daewoosa garment factory's owner. In April 2002, the High Court of American Samoa found Daewoosa Samoa, its owner, and two Vietnamese government recruiting agencies responsible for the financial plight of the imported workers and ordered the payment of $3.5 million to hundreds of Chinese and Vietnamese workers. These payments are supposed to compensate for the back wages, lower-than-mandated minimum wage rates, illegal fees for obtaining jobs, illegal deductions and other violations. The owner and two former managers of the Daewoosa factory have denied the allegations and maintained that the FBI and the federal court in Hawaii did not have jurisdiction over American Samoa (see also para. 9 above).[19]

B. Education

31. Education is compulsory between 6 and 18 years of age. The educational system in American Samoa is broadly based on the United States pattern. There are 30 public primary, 6 private and 160 village schools. According to the 2002 census, 20,830 children 3 years and older are enrolled in school. Of this number, 54.8 per cent are in the elementary school (grades 1-8), 22.3 per cent are in high school (grades 9-12) and the rest are in pre-school, college or graduate school. With respect to educational attainment, 39.3 per cent of the population 25 years and over are high school graduates; 6.9 per cent have an associate degree; 4.8 per cent have a Bachelor's degree and 2.6 per cent have a graduate or professional degree.

32. American Samoa had the lowest average score in the National Assessment of Educational Progress administered nationwide by the federal Department of Education. The assessment demonstrated that 93 per cent of American Samoa's eighth grade public school students lacked a "basic" mastery of maths and skills that are fundamental for proficient work at that grade level. The territorial Department of Education officials attributed such results mainly to the lack of qualified teachers owing to the low wages offered locally.[20]

33. As one of the measures to improve education, the Government launched two programmes to tutor children in reading and literacy. The "Read to me Samoa" programme expected to receive a direct $300,000 federal grant to expand its public activities. The hired volunteers for the programme work for one or two years and receive a stipend for college savings. In 2001/2002 school year, 2,109 young children were enrolled in the early childhood education programme compared with 1,000 enrolled the previous year. In 2001, the early childhood education programme received $192,000 for facility improvements. According to the Governor, the money went to the construction of new early childhood education centres at Fagatogo and at Alataua Elementary School.[21]

34. In January 2002, the Governor reported that the Department of Education had recruited 50 new teachers with off-island degrees. He also said that there were more students attending school under the territorial scholarship programme. The scholarship budget for 2001 had been overspent by $300,000. The Governor, however, regretted that many graduates did not return to the Territory to work.[22]

35. American Samoa Community College offers two-year degree courses in arts and sciences and programmes offering certificates of proficiency in vocational and clerical skills, business and nursing. In 2001, San Diego State University started to offer bachelor and master's degree programmes in Tutuila, which would enable the student to obtain an advanced college degree without moving off-island. The tuition costs for the San Diego State University programmes vary, and range from about $8,500 to $14,500. Also in 2001, the National University of Samoa started to give

televideo lectures in science, mathematics, English and Samoan to American Samoan Community College. This became possible as a result of meetings between the Governments of Samoa and American Samoa regarding a wide range of issues, such as money, law, telecommunication, education, environment, and health that had been taking place since 1999 as a way of improving bilateral relationships.[23]

C. Public health

36. Most social programmes in the Territory, including those related to public health, are funded by the federal Government. The main hospital in the Territory, the Lyndon Baines Johnson Tropical (LBJ) Medical Center, has 140 beds and a staff of 25 physicians. Medical, dental and pharmaceutical services are available 24 hours a day. For serious cases, off-island treatment, including hospitalization in Guam, Hawaii or the United States mainland, is provided. In January 2002, the LBJ Medical Center sharply increased the fees for its services, including ambulance, hospital beds, wheelchairs, oxygen, etc. This move had been actively discussed in the local press and in the public hearings. The hospital is partially funded through the subsidies of the Department of the Interior and the local Government and used to provide services at minimum fees. However, according to the hospital authorities, the increase was needed to cover the operational costs, equipment, doctors' wages and inherited debts.[24]

37. During the past years, the Public Health Department has been carrying out a filariasis-eradication programme (administering a worm-killing medicine). According to the report it released in January 2002, the programme had planned to cover 85 per cent of the population; however, it succeeded in immunizing just over 57 per cent of American Samoans. The five-year programme was funded by the World Health Organization and the United States Centers for Disease Control.[25]

D. Housing

38. During the period under review, the construction industry continued to lead the economic pace of providing new job opportunities in the Territory. The American Samoa Government has generated $25 million in new monies to be spent for construction purposes. During the years 2000-2001, 14 new construction businesses have been established. An average of 10 building permits have been issued every month for new homes.[26]

E. Crime

39. In his annual address in January 2002, the Governor noted that during the past year there was no major increase in the crime rate. He noted a disturbing and rising trend in cases of domestic violence and cases of possession of controlled substances. The Territory's fight against drug use had been toughened up three years before with the passage of stricter laws that call for mandatory jail terms for first-time offenders. In June 2001, the United States Department of Justice granted $235,722 to American Samoa to continue providing substance abuse treatment to offenders at state and local correctional facilities through the Residential Substance Abuse Treatment for State Prisoners programme. According to the annual report of the Department of Justice, during 2001, American Samoa was awarded $3.8 million for law enforcement and related programmes.[27]

VI. Environment

40. The American Samoa Department of Commerce oversees all construction or earth-moving activities in the Territory and tackles concerns of fishery habitat loss, coastal hazards, including hurricanes, flooding and erosion, marine debris and solid waste. Eight local government agencies review major land activities. During the period under review, the plans of the Government to build a new town in a 3,000-acre area of the forest of Salelologa covered by the conservation agreement has been opposed by the environmental group OLSSI (O le Siosiomaga Society Inc.). The group prepared a report on the ecological impact of the proposed project. The report gave an account of rare and unique species of plants and birds found in the area, and reached the conclusion that construction in the area would lead to an ecological disaster. The group also called to a halt any development in the protected areas.[28]

41. According to the World Wildlife Fund, American Samoa contains one of the 10 most vulnerable forests in the world and only 0.2 per cent of the forest is

protected. The Forest Service of the United States Department of Agriculture, in partnership with the territorial Government, has been implementing a number of programmes aimed at promoting the health and productivity of the Territory's forest lands. These programmes are focused on public education and tree planting, agroforestry, water resources, coastal stabilization, community beautification, late successional rainforest tree species, wood products, wildlife and conservation practices. To help mitigate the effects of human use, the American Samoa Coastal Management Program was established for the coastal zone, which includes all land (126 miles of coast) and sea within 3 miles of the shoreline.

42. In July 2001, new laws regulating the emission standards for vehicles were passed in the Territory. The Motor Car Amendment (No. 2) Act 2001 and the Auxiliary Bicycles Amendment (No. 2) Act, would enable the Government to take measures to reduce emissions that harm the environment and are potentially harmful to the health of residents. Cars and bicycles imported onto the island would have to meet the same standards before being licensed for use on the roads as those used in Europe, the United States and Japan.[29]

VII. Relations with international organizations and entities

43. American Samoa is a member of several regional organizations, including the South Pacific Commission, the Pacific Basin Development Council, the Pacific Tuna Development Foundation, the Pacific Islands Association, the Asian-South Pacific Bureau of Adult Education, the Pacific Asia Travel Association, the South Pacific Regional Environment Programme and the Council of Pacific Arts. It also belongs to such United States organizations as the National and Western Governors' Conferences. The Government of American Samoa has signed memorandums of understanding with the Governments of Samoa and Tonga on mutual economic cooperation and has sent trade missions to a number of countries in the Pacific region.

44. In August 1991, American Samoa, together with two other Territories administered by the United States, Guam and the United States Virgin Islands, established the Alliance of Dependent Territories, an organization that seeks to promote friendly relations and economic and technical cooperation among its members.

45. American Samoa participated as an observer in the Preparatory Committee for the Global Conference on the Sustainable Development of Small Island Developing States, as well as in the Conference itself.

46. American Samoa belongs to various regional bodies of the United Nations system, including the World Health Organization (WHO), the Regional Office for the Western Pacific and the WHO Pacific Regional Centre for the Promotion of Environmental Planning and Applied Studies. The Territory has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1988 (see A/AC.109/2023, paras. 40-43).

VIII. Future status of the Territory

A. Position of the territorial Government

47. In a statement made in 1993, the Lieutenant-Governor of American Samoa indicated that American Samoa preferred to remain a Territory of the United States (see A/AC.109/1159, paras. 25-31). This position remains unchanged.

48. Before and after the holding of the Special Committee's 2001 United Nations Caribbean Regional Seminar in Havana, the status of American Samoa as a Non-Self-Governing Territory on the agenda of the United Nations was widely discussed in the local press and on the Internet.[30]

B. Position of the administering Power

49. In a statement made at the 82nd plenary meeting of the General Assembly, on 10 December 2001 (A/56/PV.82), the representative of the United States said that his country was fully supportive when countries chose independence and was proud to work with them on an equal and sovereign basis. For Territories that did not choose independence, however, the United States also supported the right of people in those Territories to a full measure of self-government, if that is what they chose. The United States reaffirmed its respect for their rights, which included the options of integration and free association. Given the vast variety of people, places and political circumstances

that existed in the world, the United States believed that a single standard of decolonization should not be applied to every territory and they called on all Member States to respect the choices made by the residents of Non-Self-Governing Territories.

50. In that regard, he said, the United States could not support the draft resolution on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The draft resolution unfairly applied a single and narrow standard for decolonization. Indeed, for the United States, the term "non-self-governing" was of questionable applicability to those who were able to establish their own constitution, who elected their own public officials, who had representation in Washington and who chose their own economic path. Moreover, he said, the United States could not agree with the implication in the draft resolution that the mere presence of military activities and bases in the Non-Self-Governing Territories was harmful to the rights and interests of the people of those Territories. The United States could not support language that would infringe on the sovereign right of the United States.

C. Consideration by the United Nations

51. On 10 December 2001, the General Assembly adopted without a vote resolutions 56/72 A and B, a consolidated resolution on 11 Non-Self-Governing Territories, section I of Assembly resolution 56/72 B being devoted specifically to American Samoa.

Notes

[1] The information contained in the present working paper has been derived from information transmitted by the administering Power under Article 73 *e* of the Charter of the United Nations, and from published and Internet sources.

[2] Bank of Hawaii, 1997 Economic Report: American Samoa.

[3] United States Census Bureau (www.census.gov/census2000/americansamoa.html), 28 January 2002.

[4] *Samoa News*, 23 August 2001, Pacific Islands Report, 18 December, 15 January and 5 April 2002.

[5] *Samoa News*, 17 and 24 August 2001.

[6] Office of the Governor American Samoa (www.asg-gov.com), 23 January 2002, *Samoa News*, February 2002.

[7] State of the Territory Address presented by the Governor, 14 January, 2002, *Samoa News*, 27 August 2001, ibid., 24 August 2001.

[8] *Samoa News*, 28 September 2001; ibid., 24 September 2001.

[9] *American Samoa*, 19 July 2001.

[10] Submission by the United States Government under Article 73 *e*, April 1999.

[11] State of the Territory address presented by the Governor, 14 January, 2002.

[12] Statement of the delegate to the United States House of Representatives before the America Samoan Legislature, 31 January 2002.

[13] *Samoa News*, 11 September 2001.

[14] Pacific Islands Report (www.pidp.eastwestcenter.org/pireport), 24 December 2001; State of the Territory address presented by the Governor, 14 January 2002; *Samoa News*, 27 August 2001.

[15] American Samoa, 19 July 2001.

[16] *Samoa News*, 23 July 2001.

[17] United States Census Bureau (www.census.gov/census2000/americansamoa.html), 28 January 2002; United States Department of the Interior. Office of Insular Affairs. Fact Sheet May 1998 (www.doi.gov/oia/facts.html); Pacific Islands Report (www.eastwestcenter.org/pireport), 11 January 2002.

[18] Pacific Islands Report, 31 May 2001; *Samoa News*, 6 June 2001; *NewsEdge*, 27 August 2001; *Samoa News*, 28 August 2001.

[19] www.asianweek.com/2001_07_27/news_factory.html; *Samoa News*, 13 August, 6 and 26 September, 18 December 2001, 7 February 2002; Pacific Report, 10 December 2001; *NewsEdge* 26 March 2002.

[20] St. Thomas Source (www.onepaper.com/stthomasvi), 29 November 2001; *Samoa News*, 8 August 2001.

[21] Office of the Governor American Samoa (www.asg-gov.com), 23 January 2002; *Samoa News*, 31 August and 7 September 2001).

[22] *Samoa News*, 18 January 2002.

[23] www.census.gov/census2000/americansamoa.html, 28 January 2002, *Samoa News*, 30 May 2001.

[24] *Samoa News*, 8 August, 24 and 27 September 2001, 9 January 2002.

[25] Pacific Islands Report (www.pidp.eastwestcenter.org/pireport), 13 January 2002.

[26] State of the Territory address presented by the Governor, 14 January 2002.

[27] *Samoa News*, 1 January and 5 March 2002.

[28] Ibid., 13 August 2001.

[29] Ibid., 21 July 2001.

[30] Ibid., May-July 2001; www.samoachat.com.